

E-Filed 2/9/09

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CATHY ENWERE,

Plaintiff,

v.

TERMAN APARTMENTS, LP, d/b/a G & K
MANAGEMENT CO.,

Defendant.

Case Number C 07-1239 JF (PVT)

**ORDER¹ OVERRULING
OBJECTIONS TO MAGISTRATE
JUDGE'S ORDERS**

Plaintiff Cathy Enwere ("Plaintiff") alleges that Defendant Terman Apartments, d/b/a G & K Management Co. ("Defendant"), illegally discriminated against her in her effort to obtain federally subsidized housing. Among other things, Plaintiff claims that she suffered emotional distress damages as a result of the discrimination. On this and other grounds, Magistrate Judge Trumbull recently issued orders (1) compelling the San Mateo County Health Department to produce certain of Plaintiff's medical records pursuant to Federal Rule of Civil Procedure 37, and

¹ This disposition is not designated for publication in the official reports.

(2) requiring Plaintiff to submit to a mental status examination pursuant to Federal Rule of Civil Procedure 35. Plaintiff now objects to those orders, primarily on the basis of a purported discovery cut-off date barring Defendant's requests. Plaintiff also argues that the orders generally are unfair. Having considered the record, the Court is satisfied that the Magistrate Judge's orders were not clearly erroneous or contrary to law. The Magistrate Judge correctly rejected Plaintiff's argument with respect to a discovery cut-off date, noting that no such date had been imposed by this Court and that Plaintiff had waived any such argument by propounding discovery requests after the purported cut-off date. The Magistrate Judge also carefully considered each of Plaintiff's substantive arguments with respect to privacy rights and evidentiary relevance. In each instance, the Magistrate Judge reached a reasoned conclusion. Accordingly, Plaintiff's objections will be overruled.

IT IS SO ORDERED.

DATED: 2/9/09



JEREMY FOGEL
United States District Judge

1 This Order has been served electronically upon the following persons:

2 Cesar Javier del Peral cesar.delperal@dfeh.ca.gov

3 Eve Helayne Lewin Wagner , Esq ewagner@swattys.com

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7 Notice of this Order has been delivered by other means to:

8 Cathy Enwere
1263 Madera Ave.
9 Menlo Park, CA 94025